



PATENT  
Attorney Docket N<sup>o</sup>: PTG 02-98-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Alan Phillips  
Serial N<sup>o</sup> : 10/767,224  
Filed : January 27, 2004  
Group Art Unit : 3746  
Examiner :  
For : **CORDLESS COMPRESSOR**

MS MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

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CERTIFICATION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service on November 9, 2004, in a First Class envelope, with sufficient postage thereon, addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ReNea D. Berggren

DATED: November 9, 2004

Applicant responds to the *Notice to File Missing Parts of Application* dated September 17, 2004, in reference to the above application for patent as follows:

1. A *Combined Declaration and Power of Attorney in a Non-Provisional Patent Application* is attached.
2. The Commissioner is hereby authorized to charge Deposit Account 19-4882 in the amount of **\$1,418.00** to cover the surcharge and filing fees for other than small entity. A duplicate copy of this *Response* is enclosed for accounting purposes.

**Please note that the *Filing Receipt* and *Notice to File Missing Parts* in this matter state that the client is a small entity, when in fact they are a large entity.**

3. The Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees which may be required for this *Response*, or credit any overpayment to Deposit Account N<sup>o</sup> 19-4882.

4. A copy of the *Notice to File Missing Parts of Application* is attached herewith.

Please direct all correspondence to: **CUSTOMER NO. 23531**  
SUITER • WEST PC LLO  
14301 FNB Parkway, Suite 220  
Omaha, NE 68154-5299  
(402) 496-0300 (Telephone)  
(402) 496-0333 (Telecopier)

DATED: November 9, 2004.

Respectfully submitted,

Alan Phillips,

Black & Decker, Inc.,

By   
Nathan T. Grebasch  
Reg. N° 48,600

- ATTACHMENTS:
1. *Combined Declaration and Power of Attorney in a Non-Provisional Patent Application.*
  2. Copy of this *Response* for accounting purposes.
  3. Copy of *Notice to File Missing Parts of Application*.
  4. Return postcard.



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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IFW \$

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,224	01/27/2004	Alan Phillips	PTG 02-98-2

CONFIRMATION NO. 2591

**FORMALITIES LETTER**



\*OC000000013836053\*

23531  
SUITER WEST PC LLO  
14301 FNB PARKWAY  
SUITE 220  
OMAHA, NE 68154

Date Mailed: 09/17/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$259 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$709** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$259**

11/16/2004 BABRAHA1 00000128 194882 10767224

01 FC:1001	790.00 DA
02 FC:1051	130.00 DA
03 FC:1202	432.00 DA
04 FC:1201	88.00 DA

- \$43 for 1 independent claims over 3.
- \$216 for 24 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE